

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Vincent A. Gaudio,

DEBTOR.

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CASE NO.: 16-23559-rdd

Chapter: 13

**ORDER PURSUANT TO 11 U.S.C. §§ 362(d) AND 1301(c)
MODIFYING THE AUTOMATIC STAY AND CO-DEBTOR STAY IMPOSED BY 11_
U.S.C. §§ 362(a) AND 1301(a)**

UPON the motion, dated July 24, 2017 (the “Motion”), of Federal National Mortgage Association (with any subsequent successor or assign, the “Creditor”), for an order, pursuant to sections 362(d) and 1301(c) of title 11 of the United States Code (the “Bankruptcy Code”), vacating the automatic stay and co-debtor stay imposed in this case by sections 362(a) and 1301(a) of the Bankruptcy Code, respectively as to the Creditor’s interests in 22 Tamarac Avenue, New City, NY 10956 (the “Property”) to allow the Creditor’s enforcement of its rights in, and remedies in and to, the Property; and due and proper notice of the Motion having been made on all necessary parties; and the Court having held a hearing on the Motion on November 15, 2017; and there being no objections to the requested relief; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Motion is granted as provided herein; and it is further

ORDERED that the automatic stay and co-debtor imposed in this case by sections 362(a) and 1301(a) of the Bankruptcy Code are vacated under sections 362(d)(1) and 1301(c) of the Bankruptcy Code, respectively, as to the Creditor’s interest in the Property to allow the Creditor’s enforcement of its rights in, and remedies in and to, the Property, including, without limitation, loss mitigation, foreclosure and eviction proceedings; and it is further

ORDERED that the Creditor shall promptly report to the Chapter 13 trustee any surplus proceeds of the Property, and it is further

Dated: White Plains New York
November 20, 2017

/s/ Robert D. Drain
United States Bankruptcy Judge